



STATE OF MICHIGAN
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DEPARTMENT OF STATE
LANSING

MEMORANDUM

DATE: June 25, 2004
TO: City and Township Clerks
FROM: Michigan Department of State, Bureau of Elections
SUBJECT: August 3 Primary

With the August 3 primary rapidly approaching, we would like to take this opportunity to offer a number of reminders and points of information regarding the administration of the primary. The following topics are covered in this memo:

- I. Optical Scan Voting Systems: Policies and Procedural Reminders
- II. Declaration of Intent Requirement
- III. Documenting and Canvassing Write-In Votes
- IV. Posting Absentee Voting Information
- V. Appointing Precinct Inspectors
- VI. Handling Federal Post Card Application Forms
- VII. Instructing Voters
- VIII. Maintaining Order in the Polls
- IX. Recounts
- X. Ballot Security
- XI. Use of Public Funds for Political Purposes Prohibited

I. Optical Scan Voting Systems: Policies and Procedural Reminders

The following policies and procedural reminders are provided for cities and townships using optical scan voting equipment to administer the August 3 primary:

- All optical scan ballots produced for the conduct of the preliminary test, public accuracy test or any other testing procedures must be clearly stamped or printed with the word "TEST."

- It is improper for any member of the precinct board to view a voter's ballot after the voter has cast votes on the ballot. It is extremely important that this point be emphasized to all election inspectors appointed to serve in optical scan precincts. Voter complaints over this matter typically involve the mishandling of ballots rejected by the tabulator. To ensure the secrecy of optical scan ballots, instruct your election inspectors to remain at least *10 feet away* from the tabulator whenever a voter is depositing his or her voted ballot into the tabulator. To ensure the proper handling of voters who have their ballot rejected, a "script" is enclosed with this memo. The distribution of the script to your precinct boards is recommended. The election worker responsible for monitoring the tabulator should read the script to any voter who experiences the rejection of his or her ballot due to a voting error.
- The proper way to indicate a vote on an optical scan ballot is to make a mark *within the "predefined area" designated for casting a vote*. Any markings that are inconsistent with this standard cannot be counted as votes. Instructions for distinguishing between "stray marks" and valid votes cast on optical scan ballots are enclosed with this memo. The instructions were issued by the Secretary of State pursuant to MCL 168.799a(3) as amended under PA 92 of 2004.
- Jurisdictions that count optical scan ballots with "central count" tabulation systems (either absentee ballots or ballots cast in the polls) are reminded that the careful handling of the ballots is essential to ensure the accuracy of the vote totals. *As a part of the handling procedures, the tabulation equipment must be programmed to reject blank ballots, ballots containing "overvotes" and ballots containing "crossover" votes (partisan primaries only)*. If this programming feature is not employed as required, inaccurate vote results can occur due to ballots that contain false "overvotes," false "crossover" votes and ballots containing votes which cannot be scanned by the tabulator due to the voter's use of an improper marking implement.
- To preserve the secrecy of optical scan absentee ballots, secrecy sleeves must be issued with all optical scan absentee ballots printed on both sides. (It is not necessary to issue secrecy sleeves with optical scan absentee ballots printed on one side only.)
- Jurisdictions introducing optical scan voting equipment to voters accustomed to voting on other types of ballots are advised to implement extra measures to instruct voters on 1) the proper way to vote optical scan ballots and 2) the importance of using the appropriate marking tool. Showing each voter a large illustration of a properly marked "target area" is recommended. To avoid any improper appearances, such instructional tools *must not show the names of any candidates appearing on the official ballot*.

II. Declaration of Intent Requirement

- The city or township clerk is responsible for notifying the appropriate precinct boards of any Declaration of Intent forms submitted by write-in candidates before the

election. The names of the declared write-in candidates must be delivered to the precinct boards no later than the close of the polls. A list of the write-in candidates' names or photocopies of the Declaration of Intent forms can be used to notify the precinct boards of the declared write-in candidates. (If a list is used, it must include the office each write-in candidate is seeking and the candidate's party affiliation if the candidate is seeking nomination to a partisan office appearing on the primary ballot.)

- As a candidate who wishes to seek a *precinct delegate position* with write-in votes is permitted to file a Declaration of Intent at the polls on August 3, all precinct boards must be supplied with a quantity of blank Declaration of Intent forms. The precinct boards should be prepared to distribute the form to anyone who indicates a desire to seek a precinct delegate position with write-in votes. After the individual completes the form, the precinct board member handling the transaction should sign the form at the bottom and supply a copy of the form to the candidate as a receipt; an oath is *not* required. The precinct board must carefully maintain any Declaration of Intent forms submitted by precinct delegate candidates at the polls on the day of the August primary and take them into consideration when tallying the write-in votes cast at the election. The forms must be delivered to the city or township clerk with the precinct's supplies at the end of the day.
- It merits emphasis that individuals who wish to seek precinct delegate positions with write-in votes are the *only* write-in candidates who are permitted to file a Declaration of Intent form at the polls; this opportunity is *not* extended to any other write-in candidates.

III. Documenting and Canvassing Write-In Votes

- A write-in vote cast for an individual who has *not* filed a Declaration of Intent *does not count* and must not be recorded by the precinct board. Similarly, a write-in vote cast for an individual who filed a Declaration of Intent does not count unless the office for which the write-in vote was cast corresponds to the office identified on the Declaration of Intent; if a partisan primary, a write-in vote cast for an individual who filed a Declaration of Intent does not count unless the *office and party* correspond. Write-in votes which do not count for the above reasons are *not* considered when determining whether an "over vote" has occurred or whether a "crossover" vote has been cast at a partisan primary.

As an exception, the Declaration of Intent requirement is *waived* if a candidate appearing on the ballot for the office involved dies or is otherwise disqualified on or after the Wednesday immediately preceding the election. If the waiver is invoked, all write-in votes cast for the office must be counted including any write-in votes cast for candidates who have not filed a Declaration of Intent. (The waiver does *not* apply to precinct delegate positions.)

- Write-in votes which show name variations and spellings which do not match the

Declaration of Intent form *are acceptable*. It merits note that it is the precinct board's responsibility to record all valid write-in votes *exactly as they were cast* preserving any name variations and/or misspellings which may appear.

Example: John A. Smith - State Representative - Democrat - 16 votes.
Jon Smith - State Representative - Democrat - 2 votes.
J.A. Smith - State Representative - Democrat - 1 vote.

- It is the Board of County Canvassers' responsibility to review all write-in votes and determine how they are to be counted. The Board may accept variations in the spelling of a write-in candidate's name if the manner in which the voter intended his or her vote to be cast is clear.
- A write-in vote for a candidate seeking nomination to a partisan office in a primary is not valid unless the candidate's party affiliation is indicated.
- A write-in candidate seeking nomination to a partisan office on the August 3 primary ballot is nominated if he or she 1.) receives more votes than any other candidate seeking the position and 2.) meets a vote threshold formula provided under Michigan election law, MCL 168.582. Under the vote threshold formula, the number of votes received by the write-in candidate must equal the *greater* of the following:
 - 1.) 10 votes.
 - 2.) .15 of 1% (.0015) of the total population, as reflected by the last official federal census, of the district represented by the office sought by the write-in candidate.
 - 3.) **Apply following only if write-in candidate seeks nomination to an office for which only one candidate is to be elected:** 5% (.05) of the greatest number of votes cast under the write-in candidate's party for all candidates running for any office within the district represented by the office sought by the write-in candidate.
 - 4.) **Apply following only if write-in candidate seeks nomination to an office for which more than one candidate is to be elected:** 5% (.05) of the greatest number of votes cast under either party on the ballot for any candidate seeking the same office sought by the write-in candidate.

IV. Posting Absentee Voting Information

Michigan election law, MCL 168.765(5), requires all city and township clerks to comply with the following posting requirements:

- The clerk must post before 8:00 a.m. on election day: 1) the number of absent voter ballots distributed to absent voters 2) the number of absent voter ballots returned before election day and 3) the number of absent voter ballots delivered for processing.

- The clerk must post before 9:00 p.m. on election day: 1) the number of absent voter ballots returned on election day 2) the number of absent voter ballots returned on election day which were delivered for processing 3) the total number of absent voter ballots returned both before and on election day and 4) the total number of absent voter ballots returned both before and on election day which were delivered for processing.
- The clerk must post immediately after all precinct returns are complete: 1) the total number of absent voter ballots returned by voters and 2) the total number of absent voter ballots received for processing.

A form which can be used to post the information specified above is attached for your convenience.

V. Appointing Precinct Inspectors

- An election inspector must be a registered voter of the *county* in which he or she is appointed to serve. To accommodate jurisdictions that cross county boundaries, Michigan election law provides that an individual registered to vote in a local unit of government that falls in more than one county may be appointed to serve on any precinct board established within the local unit of government.
- Election inspector appointments must be handled by the local board of election commissioners at least 21 days but not more than 40 days before each election. The appointments cannot be made less than five days before the date set for holding an election inspector instructional session. A city or township that is not handling its election inspector appointments through its election commission is advised to take immediate action to bring its appointment procedures into compliance with the law.
- Not later than 2 business days following the appointment of election inspectors for an election scheduled to nominate or elect candidates to a *federal or state office*, the election commission is required to notify the county chair of each major political party of the “names and political party affiliations of appointed election inspectors and the precincts to which those inspectors were appointed.” The notification must be made by “certified mail, personal service, or electronic transmission capable of determining date of receipt.”
- At least three election inspectors must be appointed to serve in each precinct; additional inspectors must be appointed if needed to properly conduct the election. The election commission must designate one of the election inspectors appointed to each board as “chairperson” of the board. The first three inspectors appointed to serve on a precinct board must be 18 years of age or older; any additional precinct inspectors appointed to the board may be 16 or 17 years of age. A precinct inspector appointee must be at least 18 years of age to serve as the chairperson of the precinct board.

- The election commission is required to appoint “at least 1 election inspector for each major political party.” In addition, the election commission is required to politically balance each precinct board “as nearly as possible.” A “major political party” is defined as “each of the 2 political parties whose candidates for the office of secretary of state received the highest and second highest number of votes at the immediately preceding general election in which a secretary of state was elected.” (Current “major political parties” are the Republican Party and the Democratic Party.) The election commission may appoint election inspector applicants who have expressed a preference for a minor political party at its discretion.
- The election commission is prohibited from knowingly appointing an individual to serve as an election inspector if the person has been convicted of a felony or election crime or if any member of the person’s “immediate family” is a candidate for nomination or election to any office at the election. (“Immediate family” is defined as the individual’s “father, mother, brother, sister, spouse and any relative residing in the same household with that person.”) As an exception, a precinct delegate candidate may serve as an election inspector in any precinct other than the precinct in which he or she resides.
- An election commission is further prohibited from appointing a person as an election inspector “if that person declares a political party preference for a political party but is a known active advocate of another political party. A “known active advocate” of another political party is defined to mean a person who 1) is a delegate to the convention or an officer of another party 2) is affiliated with another party through an elected or appointed government position or 3) has made documented public statements (i.e., “statements reported by the news media or written statements with a clear and unambiguous attribution to the applicant”) specifically supporting by name another political party or its candidates in the same calendar year as the election for which the appointment is being made.

VI. Handling Federal Post Card Application Forms

- The Federal Post Card Application (FPCA) is a postage-free absent voter ballot application produced and distributed by the federal government. The following persons are eligible to use an FPCA to request an absent voter ballot:
 - 1.) Members of the Armed Forces and their spouses and dependents.
 - 2.) Members of the Merchant Marine and their spouses and dependents.
 - 3.) U.S. citizens temporarily living or traveling outside of the territorial limits of the United States.
- A person who is eligible to use an FPCA to obtain an absent voter ballot may register up to 8:00 p.m. on the day of the election; *the 30-day registration deadline is waived.*

If an individual submitting an FPCA is not registered to vote, the FPCA can be accepted as the voter's registration application.

- An FPCA may be used by one person only; if a husband and wife or several family members who are eligible to use an FPCA wish to obtain absent voter ballots, each must complete a separate FPCA form.
- The Help America Vote Act (HAVA) prohibits the imposition of any restriction on the early submission of absentee ballot requests for federal elections by absent uniformed services voters. With the new HAVA stipulation, city and township clerks are no longer permitted to reject absent voter ballot requests submitted for federal elections by absent uniformed services voters more than 75 days prior to the election.
- HAVA requires local election officials to provide return notification in any instance where a voter registration application or absent voter ballot application submitted by an absent uniformed services voter or an overseas voter is rejected. The notification can be issued by any convenient means (letter, fax or email).
- HAVA stipulates that a Federal Post Card Application (FPCA) used to request absent voter ballots must be honored "through the next 2 regularly scheduled general elections for Federal office..." As a consequence, an FPCA form submitted prior to the August 3, 2004 primary must be honored for the August 3, 2004 primary; the November 2, 2004 general election; the August 8, 2006 primary; and the November 7, 2006 general election. As the new HAVA stipulation only impacts elections involving federal offices, an absent uniformed services voter or overseas voter who wishes to participate in a local election must submit additional absentee ballot requests for the local elections of interest.
- HAVA requires the Federal Voting Assistance Program office to prescribe a "standard oath" for use with any document submitted by voters under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA). The standard oath prescribed by the Federal Voting Assistance Program Office must be used in place of the oath prescribed under Michigan election law when sending an absent voter ballot to an absent uniformed services voter or overseas voter. (The wording of the oath was included in the HAVA compliance memo issued through the Bureau on June 16, 2004.) The oath can be placed on the absent voter ballot return envelope with a sticker if necessary. The newly prescribed oath does *not* replace the wording of the affidavit which must be submitted by Michigan citizens who are temporarily living or traveling outside of the territorial limits of the United States ("Affidavit for Persons Temporarily Residing Outside of the United States").
- When sending absent voter ballots to FPCA applicants, the procedures followed depend on the status of the elector submitting the FPCA.

Armed Forces, Merchant Marine, spouses and dependents: Upon the receipt of the FPCA, an absent voter ballot is immediately forwarded to the applicant. As noted

above, if the applicant is not registered, the FPCA is accepted as the voter's registration application. An oath is not required.

Citizens temporarily outside U.S.: These procedures differ from the procedures detailed above as a U.S. citizen who is temporarily living or traveling outside of the territorial limits of the United States must submit either an "Affidavit for Persons Temporarily Residing Outside of the United States" or execute the FPCA under oath to obtain an absent voter ballot.

If the applicant executed the oath on the FPCA form or submitted the above referenced affidavit, an absent voter ballot is immediately sent.

If the applicant did not execute the oath on the FPCA form or submit the above referenced affidavit, the affidavit form is sent to the applicant. An absent voter ballot is immediately sent to the applicant as soon as the affidavit is returned.

The affidavit requirement is provided under Michigan election law, MCL 168.759a. A recommended affidavit form which can be photocopied as needed is enclosed for your convenience. As noted above, if the applicant is not registered, the FPCA is accepted as the voter's registration application.

- A qualified elector who is overseas and who resided in Michigan immediately before leaving the United States may register in the city or township where his or her residence was located – even if an established place of residence is no longer maintained in the city or township.
- There is no limit to the length of time a person may reside or travel outside of the territorial limits of the United States and still vote by absent voter ballot. As long as the person remains qualified to vote and properly applies for ballots, the ballot requests must be honored.
- If a member of the Armed Forces or Merchant Marine or a spouse or dependent of a member of the Armed Forces or Merchant Marine applies for an absent voter ballot in a letter instead of an FPCA, immediately send the requested ballot if the applicant is registered. If the applicant is not registered, immediately send the requested ballot and registration forms. If the registration forms and the ballot are returned by 8:00 p.m. on election night, the ballot can be counted.
- If a private citizen temporarily residing or traveling outside of the territorial limits of the United States does not use an FPCA to apply for an absent voter ballot, an "Affidavit for Persons Temporarily Residing Outside of the United States" must be submitted by the voter before an absent voter ballot can be sent. If the affidavit is not enclosed with the letter request, a blank affidavit form is sent or faxed to the person for completion. (Registration forms must also be sent if the person is not registered.) As soon as the completed affidavit is returned by the voter, the absent voter ballot is

mailed. The person must then return the voted ballot and completed registration forms (if required) before 8:00 p.m. on the date of the election.

- HAVA requires each state to submit a report to the Election Assistance Commission (EAC) no later than 90 days after each Federal election which provides the number of absent voter ballots issued to absent uniformed services voters and overseas voters and the number of absent voter ballots “returned by such voters and cast in the election.” The Bureau of Elections will supply Michigan’s county, city and township clerks with forms and instructions for compiling and submitting the required data.

VII. Instructing Voters

- When processing voters, a member of the precinct board must offer to give instruction on *all* aspects of the voting process including the procedure for casting write-in votes. If a voter states that he or she wishes to only receive instruction on the procedure for casting a write-in vote, the precinct board member handling this task may limit the instruction to the write-in process; otherwise, instruction on all aspects of the voting process must be offered to avoid any appearance that the precinct board is promoting write-in candidates.
- If a voter asks for information on the write-in candidates who are seeking the offices on the ballot, the precinct board must advise the voter to contact the clerk. The precinct board is *not* permitted to provide the names of write-in candidates while processing voters or display the names of the write-in candidates inside the polling place.

VIII. Maintaining Order in the Polls

CAMPAIGNING AT POLLS: There is often confusion on election day over the provisions which govern campaigning at the polls. As a consequence, all precinct chairpersons need to be aware of the following:

- No person is permitted to solicit voters or engage in any type of campaigning within 100 feet of any doorway used by voters to enter the building in which a polling place is located. In addition, no person is permitted to post, display or distribute any material that directly or indirectly makes reference to an election, a candidate or a ballot question in a polling place, in any hallway used by voters to enter or exit a polling place, or within 100 feet of an entrance to a building in which a polling place is located. The following activities are included under the 100-foot restriction:
 - Displaying “pro and con” information on the proposals appearing on the ballot.
 - Approaching voters to encourage them to vote for or against a candidate or ballot question.
 - Distributing any type of campaign literature or write-in stickers.

- Displaying signs, posters or bumper stickers.
- Attempting to collect petition signatures.
- Requesting donations, selling tickets or engaging in similar activities.
- A voter may park a car or other vehicle bearing campaign signs or bumper stickers within 100 feet of the polling place during the time he or she is voting. Under any other circumstances, vehicles bearing campaign signs or bumper stickers must be parked at least 100 feet from any entrance to the building in which the polling place is located.
- Election workers have the right to ask voters entering the polls to remove campaign buttons or to cover up clothing bearing a campaign slogan or a candidate's name. In addition, voters may be told to conceal campaign literature or other campaign materials brought into the polls. While there is nothing to prohibit a voter from referring to campaign literature or "slate cards" when voting, such materials may not be left behind in the voting station. Precinct inspectors should periodically check each voting station for campaign literature left by voters and discard any that is found.

CHALLENGERS: Information on the qualifications, rights and duties of election challengers appears in the precinct manual distributed through the Department, *"Managing Your Precinct on Election Day."* Several important points follow:

- Political parties are free to appoint challengers through the date of the election; advance application is not required. Interest groups which support or oppose the passage of a proposal or which have an interest in preserving the purity of elections must apply for authorization to appoint challengers 20 to 30 days prior to the election.
- An individual appointed to serve as a challenger must be registered to vote in Michigan; registration within the jurisdiction in which the challenger is appointed to serve is no longer required. Challengers may be appointed to serve in more than one precinct.
- While a political party or interest group may rotate challengers in a precinct, a political party or interest group may not have more than *two* challengers present in the precinct at anytime throughout the course of the day.
- If two challengers are representing a political party or an organization in the precinct, only one of the challengers may hold the authority to challenge at any given time. The challengers may alternate the authority to challenge at their discretion. The challengers must advise the precinct board each time the challenge authority is alternated.
- It is the duty of the election board to provide space for challengers which will enable them to observe all election procedures being carried out.

- Challengers may not touch ballots, election materials or voting equipment.
- Challengers may not unnecessarily obstruct or delay the work of the election inspectors.
- A challenger must have in his or her possession a “challenger card” issued by the organization he or she represents. Upon entering the precinct, the challenger must exhibit the card to the chairperson of the election board.

OTHER PERSONS IN POLLS: An election is an open process that may be observed by any interested person. (However, note that candidates should not be present in the polling place after they have voted because of the possible conflict with the provisions which prohibit campaigning within 100 feet of the polls.) A person who wishes to observe the election process -- but who is not a qualified election challenger -- is commonly called a “poll watcher.” The distinction between poll watchers and challengers is summarized below:

- A challenger has the right to challenge procedures and a person’s right to vote; a poll watcher does not have this authority.
- A challenger may sit behind the processing table; a poll watcher does not have this privilege. (Poll watchers must seat themselves where they will not interfere with the voting process.)
- Challengers have a right to look at the Poll Book; poll watchers may look at the Poll Book at the discretion of the precinct chairperson. A challenger or a poll watcher may *not* touch the poll book or any other voting records.

EXIT POLLING: “Exit pollsters” are persons employed to survey electors after they have voted. While Michigan election law does not specifically regulate exit polling, the Department of State’s Bureau of Elections has established by policy that exit pollsters 1) must remain at least *20 feet* away from the entrance of the building in which the polling place is located 2) not enter the building in which the polling place is located and 3) not question any person *entering* the building in which the polling place is located. It merits emphasis that exit polling is the questioning of voters after they have left the polls; campaigning is the soliciting of votes as voters enter the polls.

IX. Recounts

- Michigan election law stipulates that a candidate who seeks nomination or election to the office of U.S. Representative in Congress or State Representative who wishes to obtain a recount must file with the Secretary of State. Formerly, a candidate who sought nomination to the office of U.S. Representative in Congress or State Representative who wished to obtain a recount in a district wholly contained within a single county filed with the county clerk. Please keep this change in mind if you are contacted by any U.S. House or State House candidates who wish to seek a recount

after the August 3 primary.

- County and local recounts requested after the August 3 primary may *not* be conducted until written clearance is received through the Michigan Department of State's Bureau of Elections. *All ballots, voting equipment, programs and other materials placed under security must remain sealed until instruction is received through the Bureau.* A memo on the conduct of county and local recounts will be forwarded to the county clerks throughout the state in early September.

X. Ballot Security

CANVASS DOCUMENTS: Michigan election law requires the Board of County Canvassers to seal all statement of votes forms, tally sheets and poll books in envelopes upon the completion of the canvass. Red paper seals may be used to comply with the security requirement.

PAPER BALLOTS: All paper ballots must be sealed in ballot bags; the ballot bags must then be sealed in approved ballot containers. The serial numbers appearing on the seals used to secure the ballot bag and ballot container must be recorded in the Poll Book, on the statement of votes forms and on certificates affixed to the ballot bag and ballot container.

PUNCH CARD BALLOTS: All program test materials and punch card ballots must be sealed in approved ballot containers. The serial number appearing on the seal used to secure the ballot container must be recorded in the Poll Book, on the statement of votes forms and on the certificate affixed to the ballot container.

OPTICAL SCAN BALLOTS: All program test materials and optical scan ballots must be sealed in an approved ballot container. The serial number appearing on the seal used to secure the ballot container must be recorded in the Poll Book, on the statement of votes forms and on the certificate affixed to the ballot container. If a two-sided ballot container is used to store optical scan ballots, *both sides must be sealed and both seals must be recorded.* (If one side of the container is permanently sealed, the precinct inspectors do not have to list the permanent seal if the number on the permanent seal is properly documented in the clerk's office.) Programs removed from optical scan tabulators must be sealed in an approved ballot container. Programs cannot be erased or transferred to another electronic medium for extended retention until clearance is received from the Department of State's Bureau of Elections.

DIRECT RECORDING ELECTRONIC SYSTEMS: All program test materials and absent voter ballots must be sealed in approved containers. The serial number appearing on the seal used to secure the ballot container must be recorded in the Poll Book, on the statement of votes forms and on the certificate affixed to the ballot container. Programs (memory cartridges) removed from direct recording electronic systems and programs used to count absent voter ballots must be sealed in an approved ballot container. Programs cannot be erased or transferred to another electronic medium for extended

retention until clearance is received from the Department of State's Bureau of Elections.

VOTING MACHINES: All voting machines must be sealed to prevent the entrance button from being operated. The serial number appearing on the seal used to secure the voting machine must be recorded in the Poll Book and on the statement of votes forms.

XI. Use of Public Funds for Political Purposes Prohibited

Michigan's Campaign Finance Act stipulates that a "public body" and individuals acting for public bodies are prohibited from using or authorizing the use of "funds, personnel, office space, property, stationery, postage, vehicles, equipment, supplies, or other public resources" to support or oppose a candidate or the qualification, passage or defeat of a ballot proposal. The law stipulates that an individual who violates the prohibition is guilty of a misdemeanor punishable by a fine of "not more than \$1,000.00 or imprisonment for not more than 1 year, or both"; if the offender is not an individual, the law imposes a fine of "not more than \$20,000.00" or, if a greater amount, a fine "equal to the amount of the improper contribution or expenditure."

Additional Enclosures

A summary of the state laws which govern absentee voting and the handling of absent voter ballots is enclosed for your reference. Also enclosed, please find information on the certification of precinct delegate votes developed for jurisdictions that employ electronic voting systems. Please do not hesitate to contact the Michigan Department of State's Bureau of Elections at (517) 373-2540 if you have any questions.

cc: County Clerks